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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MARANDI, JAMES R

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/578,819	Applicant(s) LEFEVRE ET AL.	
	Examiner JAMES R. MARANDI	Art Unit 2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application, on 1/15/2009, after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/7/2008 has been entered.

Response to Amendment

2. This action is in response to applicant's remarks and amendment filed on 10/7/2008. Claims 1-20 are presently pending.

Response to Arguments

3. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-18 are rejected under 35 U.S.C. 102 (e) as being anticipated by E.B. Eytchison, USPN. 7,206,853 (hereinafter "Eytchison").

Regarding claim 1, Eytchison discloses:

A method for displaying on a television apparatus (Fig. 1, element 120),
content information associated with peripheral device (content of HDD
device is shown in the window of 120) **interconnected with the television
apparatus (120) via a digital serial bus (110), the method comprising:**

receiving, by the television apparatus (120), a user request to view content information associated with a selected peripheral device (HDD) interconnected to the television apparatus via the digital serial bus (110);

obtaining, by the television apparatus (120, Col. 4, lines 57-61), responsive to said user request (Col. 4, line 65-67), content information from the selected peripheral device regardless of whether the selected peripheral device is a currently selected input source for the television apparatus (Col. 4, lines 57- 67); and

displaying, by the television apparatus, the received content information for the selected peripheral device (120, window depicting the content of HDD device, e.g. The Haunting, etc.),

wherein the received content information is displayed on a content display uniquely associated with the selected peripheral device (the window opened in display 120 reflects content uniquely associated with device HDD). (Col. 4, line 46 through Col. 5, line 3)

Regarding claim 2, **wherein the digital serial bus is an IEEE 1394 compliant serial bus**, Col. 4, lines 54- 56.

Regarding claim 3, **in response to a second user input, obtaining, by the television apparatus, content information from a second selected peripheral device; and displaying, by the television apparatus, the received**

content information of the second selected peripheral device, user may select any of the devices attached/discovered to bus 110, and shown in the menu of 120 and see the menu associated with that device (Col. 4, lines 65-67).

Regarding claim 4, **wherein the content information comprises table of contents information for programs stored on a storage medium of the selected peripheral device**, the menu for HDD device is a list of content stored on the HDD device (Col. 5, lines 1-3).

Claim 5 is rejected as claim 3.

Regarding claim 6, **allowing by the television apparatus, a user to cycle through a loop of peripheral devices interconnected to the television apparatus**, user may cycle through the devices attached/discovered to bus 110, and shown in the menu of 120 and see the menu associated with each device, per Col. 4, lines 63-67.

Regarding claim 7, **allowing by the television apparatus, a user to manipulate the displayed content information in response to user input received by the television apparatus**. (Col. 4, lines 65-67; Fig. 2, element 120, Col. 6, lines 16-30)

Regarding claim 8, **wherein manipulation includes moving through the content information, deleting the content information, and playing selected programs**, Fig. 2, element 120, Col. 6, lines 16-30.

Regarding claim 9, Eytchison discloses **a method for displaying on a digital television apparatus** (Fig. 1, element 120), **table of content information associated with a peripheral device** (content of HDD device is shown in the window of 120) **interconnected with the television apparatus via an IEEE 1394 bus (110), the method comprising:**

providing, on the digital television apparatus in response to a first user input to the digital television apparatus, a menu allowing a user to request viewing of table of content information of a selected peripheral device interconnected to the digital television apparatus via the IEEE 1394 bus (user may select any device from buttons on the right side of 120), **the option provided by the digital television apparatus regardless of whether the selected peripheral device is a currently selected input source for the digital television apparatus** (the device is not selected till the content is chosen from the menu for display);

establishing, by the television apparatus, communication between the digital television apparatus and the selected peripheral device via the IEEE 1394 bus (Col. 1, lines 37-39, Col. 4, lines 57-61);

obtaining, by the digital television apparatus, responsive to said user request, table of contents information associated with a storage medium of the selected peripheral device (120, window depicting the content of HDD device, e.g. The Haunting, etc.); and

displaying, by the digital television apparatus, the received table of contents information for the selected peripheral device, wherein the received content information is displayed on a content display unique associated with the selected peripheral device (the window opened in display 120 reflects content uniquely associated with device HDD). (Col. 4, line 46 through Col. 5, line 3).

Regarding claim 10, **detecting connection of the selected peripheral device to the digital serial bus, and upon detection, obtaining the table of content information from the selected peripheral device. (Col. 1, lines 20- 62)**

Regarding claim 11, **in response to a second user input, establishing communication between the digital television apparatus and a second selected peripheral device via the 1394 serial bus; obtaining by the digital television apparatus, table of contents information associated with a storage medium of the second selected peripheral device; and displaying by the digital television apparatus, the table of contents information from the second selected peripheral device, user may select any of the devices**

attached/discovered to bus 110, and shown in the menu of 120 and see the menu associated with that device (Col. 4, lines 65-67).

Regarding claim 12, **wherein the table of contents information of the selected peripheral device includes one or more of title, time created, total track time, current track time, artist, genre, and program description for each track of table of contents data.** (Content attributes/ metadata as disclosed in Col. 5, lines 22-29)

Regarding claim 13, **allowing by the digital television apparatus, a user to cycle through a loop of peripheral devices interconnected to the television apparatus via the 1394 serial bus,** user may cycle through the devices attached/discovered to bus 110, and shown in the menu of 120 and see the menu associated with each device, per Col. 4, lines 63-67.

Regarding claim 14, **allowing by the digital television apparatus, a user to manipulate the displayed content data in response to user input received by the digital television apparatus including moving through the table of contents information, deleting table of contents information, and playing a selected program;** (Col. 4, lines 65-67; Fig. 2, element 120, Col. 6, lines 16-30)

Claim 15, **a digital television apparatus**, effectuating the method of claims 1, is hereby rejected by the same analysis.

Regarding claim 16, **means for allowing a user to cycle through a loop of peripheral devices interconnected on the digital serial bus for viewing of table of content information associated with a selected one of the peripheral devices**, user may cycle through the devices attached/discovered to bus 110, and shown in the menu of 120 and see the menu associated with each device.

Regarding claim 17, **means for allowing a user to manipulate the displayed table of content information in response to user input received by the digital television apparatus**. (Col. 4, lines 65-67; Fig. 2, element 120, Col. 6, lines 16-30)

Regarding claim 18, **wherein manipulation includes moving through the content information, deleting the content information, and playing selected programs**, Fig. 2, element 120, Col. 6, lines 16-30.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eytchison in view of M.I. Sezan et al., USPGPUB 2005/0060641 (hereinafter "Sezan").

Regarding Claims 19 and 20, Eytchison is silent on **wherein the content information was obtained from PSIP data associated with the program data stream.**

However, Sezan, in analogous art, discloses that **wherein the content information was obtained from PSIP data associated with the program data stream.** (¶¶ [63] - [65])

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of Eytchison with Sezan's in order to

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provide IEEE 1394 and HAVi enabled content centric communication among devices (¶ [65]).

Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES R. MARANDI whose telephone number is (571)270-1843. The examiner can normally be reached on 8:00 AM- 5:00 PM M-F, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/
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